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THE HONGKONG DIRECTORY
1897.
The Thirty-third Annual Issue, which will be found, as hitherto, more full and accurate than the previous ones...
The Hongkong Directory and Hong Kong List for the Far East.

The Daily Press.
HONGKONG, OCTOBER 9th, 1897.
AN interesting discussion has been going on in the Yokohama press with reference to the case of certain Chinese forming part of the crew of a British mail-boat who were arrested by the Japanese authorities at Hakodate on a charge of gambling and dealt with by the native Courts notwithstanding a claim put forward by the British authorities that they were subject to British jurisdiction under the law of extrajurisdiction. The Japanese Mail maintains that the action of the Japanese authorities was correct; the Japanese Gazette maintains the opposite, holding that the men should have been surrendered to British jurisdiction. In support of its argument the Mail quotes the following passage from HALL: "It may be worth while to note the limitations upon an outlying instance of protection temporarily accorded to persons, not on their own account, but because of their association with British property. Persons forming part of the crew of a British vessel, whatever may be their nationality, are protected while in an Oriental port, not merely to the point up to which the customs of Europe allow members of a crew to be subjected to British jurisdiction, but to the full range, whether with respect to acts done on the vessel or on shore, that merely protective jurisdiction stretches in an Eastern State. Punitive jurisdiction does not, however, go with protective jurisdiction in this instance. British Courts can only exercise criminal jurisdiction over British subjects and persons to whom the privileges of British subjects have been regularly extended; they consequently have no power to try a foreign seaman belonging to a British ship for a crime committed within or without the territorial jurisdiction. He must be handed over to the Consul authority of the nation of which he is a subject. With all respect for the eminent authority responsible for the above, it strikes us as being laid out and contrary to the universal practice. No distinction can be drawn in such a case between protective and punitive jurisdiction, the essence of the protection accorded by a power possessing extrajurisdictional jurisdiction being that persons accused of an offence shall be tried by the laws of the power to which they owe allegiance. The protective and punitive jurisdiction must necessarily go hand in hand. Enforcement of the matter more correctly in the following passage: "A treaty of extrajurisdiction or capitulation includes not alone the subjects or citizens of the Treaty Power, but also those individuals of different nationality who are temporarily or permanently under the jurisdiction of the Treaty Power, whether on board the vessels of such power or registered at its Consulates, and this independently of the condition in which the state or nation to which the protected individuals respectively belong may be with regard to such extrajurisdiction or capitulation." That is to say, a foreigner employed on board a British ship is subject to British jurisdiction, even when on shore, in countries where extrajurisdiction prevails. This is the principle applied in daily practice. If a seaman belonging to a foreign ship commits an offence ashore in a Chinese or Japanese port, say he is drunk and disorderly, he is dealt with by the authorities of his ship's nationality, the question of his own nationality not being gone into. We fail to see anything in the Hakodate case that should take it out of the general rule. Some time ago a Chinese member of the crew of H.M.S. Asa had the misfortune to accidentally kill a native at one of the Yangtze ports while ship's sports were being held aboard. According to Chinese law he would, notwithstanding the accidental character of the homicide, have been liable to punishment by death. The British authorities, however, notwithstanding that the accused was a Chinaman and that the occurrence took place in Chinese territory, claimed jurisdiction on the ground of the man's being a member of the crew of a British vessel. How is this case disposed of by the Japan Mail? As follows:— "Our contention is that such a claim has no 'raison d'être' unless the jurisdiction against which it is set up is of a semi-civilized or barbarous character. If, for example, a foreigner serving in a British public vessel commits a crime on shore in China it is of point of humanity that Great Britain should assert her right of jurisdiction over him as a protected subject, rather than suffer for him to be judged by Chinese tribunals. That principle, indeed, is the only one and only intelligible explanation of 'protection' exercised in the manner under consideration."

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318, buyers	
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<p>Co's. Expenses, 6th Oct. Thurs. 6.2.2 (Vestib.) 75 Thurs. 6.2.2 (Vestib.) 75 Thurs. 4.2.2 (Vestib.) 75 Thurs. 4.2.2 (Vestib.) 50 Thurs. Minimum (over- sight) 10.0.0 (Vestib.) 75</p>	
<p>GRAND TOTAL 10th October</p>	
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10.11.97	10.11.97
10.12.97	10.12.97
10.1.98	10.1.98
10.2.98	10.2.98
10.3.98	10.3.98
10.4.98	10.4.98
10.5.98	10.5.98
10.6.98	10.6.98
10.7.98	10.7.98
10.8.98	10.8.98
10.9.98	10.9.98
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10.11.98	10.11.98
10.12.98	10.12.98
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